# European road safety 2011-2020

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This Commission presented its staff working document concerning the **impact assessment** on the Commission legislative proposal for a revision of Directive 2000/9/EC of the European Parliament and of the Council relating to cableway installations designed to carry persons (the Cableways Directive).

To recall, the purpose of the Cableways Directive is to establish the free movement in the internal market of safety components and subsystems of cableway installations while maintaining a uniform and high level of safety. The installations covered by the Cableways Directive are funicular railways, cable cars, gondolas, chairlifts and drag lifts.

In line with the political commitment of the EU legislator, the Cableways Directive will be aligned to the New Legislative Framework (Decision No 768/2008/EC). This exercise provides the opportunity to address **some difficulties experienced with the implementation of the directive**:

- **difficulty to clearly identify certain installations as cableways**: authorities, notified bodies and manufacturers have had different views whether certain types of installations, namely inclined lifts, small funiculars and equipment designed for leisure and transport purposes comes under the scope of the Cableways Directive and hence have to be manufactured and certified in line with the directive's requirements and procedures.;
- **difficulty to distinguish between subsystems, infrastructures and safety components** and to determine the right conformity assessment procedure: stakeholders have had different views on whether certain equipment should be considered as subsystem, infrastructure or safety component. Furthermore the Directive does not say clearly which type of conformity assessment procedure has to be applied to subsystems.

While the problems are not endangering the general objectives of the Directive, addressing them at EU level will avoid diverging approaches taken by the authorities or notified bodies which lead to unequal treatment of economic operators.

The overall objectives of this initiative are to: (i) provide more legal certainty and facilitate the implementation of the cableways directive; (ii) favour a fair level playing field for cableways economic operators, and (iii) simplify the overall European regulatory environment in the field of cableways installations.

**Policy options**: policy options for the revision of the Cableways Directive 2009/9/EC have been considered for each of the identified issues:

- scope of the Directive: there are some difficulties concerning the scope of the Directive, in particular with regard to new types of installations;
- distinction safety components, subsystems, infrastructures and installations;
- conformity assessment procedure for subsystems.

Three policy options have been considered, i.e.

***(1) the "do nothing"*** as a baseline option;

***(2) the "soft law" option*** as non-legislative alternative consisting of issuing commonly agreed interpretation on the application of the Cableways Directive; and

***(3) the "legislative" option*** amending the legal text.

**Preferred option**: option 3 combined with option 2 turned out to be the **preferred choice** to appropriately respond to the "problems" identified. The current uncertainties concerning installations with a double purpose (transport and leisure) and the applicable conformity assessment procedures for subsystems will be clarified by changes in the legislation. The borderline to the Lifts Directive and the distinction between safety components and subsystems will be clarified through further guidance.